



Wednesday, March 19, 2014

The Honourable Gail Shea
Minister of Fisheries and Oceans
200 Kent Street, 8th Floor
Ottawa, ON, K1A 0E6

Re: National Policy for Allocating Fish for Financing Purposes

Dear Minister Shea,

Recent amendments to the *Fisheries Act* have precipitated the development of a draft National Policy for Allocating Fish for Financing Purposes (the 'Policy'). In 2013 the Board was engaged in discussions with your Department and some affected stakeholders regarding the possible allocation of Northern Shrimp in Shrimp Fishing Area (SFA) 4 to finance the Northern Shrimp Research Foundation-DFO survey in the Eastern Assessment Zone. We recognize, as you have, a need for a policy to guide the allocation of fish for financing purposes, and we offer the following recommendations, drawing on the SFA 4 example for illustrative purposes:

1. Section 4.2 of the policy specifies eight criteria for project eligibility, including a commitment to consider funding activities that “*where possible, support and align with efforts made by the Department to strengthen relationships with Aboriginal groups pursuant to Aboriginal fisheries programs*”. We recommend that this commitment not be conditional, and that the DFO consider funding activities that *do* support and align with efforts to strengthen relationships with Aboriginal groups.
2. Stakeholder support is required, and is defined as support from harvesters (or their representative organizations) whose cumulative share of the resource amounts to 66 percent of the TAC, or 66 percent of harvesters in an input fishery. A 66 percent majority should not suffice – there should be an opportunity to discuss and consider minority perspectives. In the case of the SFA 4 allocation the percentage support was never shared, but certainly there were strong arguments, possibly in the minority, which merited careful consideration.
3. The onus is on the project proponent to demonstrate support. We suggest that DFO is in a unique position to play a lead role in facilitating discussions to ascertain whether or not there is support for a proposal.
4. The policy should include more detail on process, and should emphasize transparency. The process around the SFA 4 allocation in 2013 was not at all transparent. The Board made this point in its 2013 Northern Shrimp



recommendation, pointing out problems with the process (a detailed proposal was never shared), and the content of the proposal itself (regarding the allocation of resource in one SFA to survey an assessment zone that spans several SFAs).

5. There is very little detail on how research outcomes will be reported, and who has ownership of, and access to, the data. As the research is funded by a common property resource, it would stand to reason that the data derived from the research would also be common property. This should be made explicit.

The policy will add certainty as to when and how fish will be used to finance scientific and fisheries management activities, and we commend your Government for having recognized this need, and undertaken this important task. We hope the specific recommendations we have included here will contribute to allocation decisions that are transparent and equitable. We have argued that the processes surrounding the SFA 4 allocation in 2013 were neither transparent nor equitable, and we recommend that the decision be re-evaluated in accordance with the new policy, when it is finalized.

Yours truly,

John Mercer
Chair
Torngat Joint Fisheries Board